

REMARKS

1. Claims 1- 4 are novel under 35 U.S.C. §102(b).

Claims 1- 4 stand rejected on 35 U.S.C. §102(b) over the teachings of Wouters *et al.* (1984, *Biochem. Pharm.* 33: 4039-4044). Applicants thank the Examiner for pointing out the ambiguity in the previously-presented claim language, and have amended claim 1 to clarify the scope and meaning of the claimed invention. Specifically, amended claim 1 now recites that the claimed cell membrane preparations comprise a mammalian D2 dopamine receptor protein expressed by an exogenous mammalian D2 dopamine receptor-encoding gene [is] from a species different from the mammalian species of the cell in which the exogenous gene is expressed. As now recited, the claimed membranes are different from the membranes disclosed in the Wouters reference, since the Wouters membranes comprise the endogenous rat D2 dopamine receptor protein as well as all other rat membrane proteins found in rat striatal membranes. In contrast, the claimed membranes comprise a mammalian D2 dopamine receptor protein not found amongst the other membrane proteins found in the cell membrane of the expressing cell, since the D2 dopamine receptor protein is from a different mammalian species from the species of the cell in which the D2 dopamine receptor protein is expressed. Rather than being a process limitation, the claimed membranes are different from any prior art membranes, relying on expression of an exogenous D2 dopamine receptor-encoding gene in a heterologous cell (i.e., one from a different species than the species from which the expressed D2 dopamine receptor was isolated). This amendment is fully supported by the specification as filed, which explicitly disclosed expression of both rat and human D2 dopamine receptor-encoding genes in mouse Ltk- cells (at p. 17, l. 7 through p. 18, l. 18 and p. 75, l. 1-28).

Applicants thus respectfully contend that claim 1, as amended, and dependent claims 2-4 are novel over the Wouters reference, and request that the instant rejection on 35 U.S.C. §102(b) grounds be withdrawn.

CONCLUSIONS

Applicants respectfully contend that all conditions of patentability have been met and that the pending claims are in condition for allowance. Allowance of the pending claims is therefore

respectfully solicited.

If the Examiner in charge of this application believes it to be helpful, she is invited to contact the undersigned attorney by telephone at (312) 913-0001.

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff

By:

Kevin E. Noonan, Ph.D.

Reg. No. 35,303

Dated: June 4, 2004